

Appl. No. 10/064,280
Amdt. dated 11/25/05
Reply to Office action of 09/27/2005

REMARKS / ARGUMENTS

The Applicants thank the Office for the careful consideration given to their application in the communication mailed 09/27/2005. In that communication, the Office required a restriction to either claims 1 – 23 drawn to a method, or claims 24 – 38 drawn to an apparatus. Claim 23 was rejected under judicially created doctrine of obviousness-type double patenting over claim 1 of US 6,936,231. Claim 23 was also provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 10 of copending application 10/707,340.

Claims 1, 7 – 10, 14, and 20 – 21 were rejected under 103(a) as being unpatentable over Skelley et al. (US 5,316,737). Claims 2 and 15 were rejected under 103(a) as being unpatentable over Skelley et al. in view of Hwang et al. (US 6,136,284). Claims 11 and 19 were rejected under 103(a) as being unpatentable over Skelley et al. in view of Hasegawa et al. (US 6,203,598) or alternatively as being unpatentable over Skelley et al. ('737) in view of Skelley et al. (US 4,999,167) and further in view of Hasegawa et al. Claims 1 – 2, 7 – 15, and 19 – 22 were rejected under 103(a) as being unpatentable over Shin et al. (US 5,723,838). Claims 1, 7 – 10, 12 – 14, and 20 – 22 were rejected under 103(a) as being unpatentable over Saxena et al (US 5,985,223) in view of Skelley et al. ('737). Claims 2 and 15 were rejected under 103(a) as being unpatentable over Saxena et al. in view of Skelley et al. and further in view of Hwang et al. Claims 11 and 19 were rejected under 103(a) as being unpatentable over Saxena et al. in view of Skelley et al. and further taken with Hasegawa et al. Claim 23 was rejected under 103(a) as being unpatentable over Aoki et al. (US 5,041,271) taken with Senjo et al. (US 4,035,470).

Claims 3 – 6 and 16 – 18 were objected to as being dependent upon a rejected claim base.

Applicants hereby affirm the election of claims 1 – 23, and withdraw claims 24 – 38.

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Applicants hereby cancel rejected claims 1 – 2, 7 – 15, and 19 – 23.
Claims 3 – 6 and 16 – 18 are now rewritten in independent form including all the limitations of the base claim and intervening claims.

Applicants further amend the pH recited in amended claims 3 and 16 to claim a pH greater than 5 instead of a pH greater than 6. This limitation is amply supported in the specification as filed. The examiner's attention is drawn to paragraphs 0027 and 0035.

Applicants suggest that all remaining claims are allowable, and respectfully request that a Notice of Allowance be issued in this case.

Respectfully submitted,



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